G. R. S. IX-51

Previous references.

1862

~~191~~

(Courts)

File No. 6

Serial Nos. 1.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1.

ell. Part B for October 1862

SUBJECT.

Introduction of the Stamp Act into the Small Causes Court

Indexed

Kirtar Nath Das Hazra

W D 88—GPB—50,000—24-7-1

No. 286.

Mysore Commissioner's Office.

From

The Commissioner for the Government
of the Territories of His Highness the
Maha Rajah of Mysore

To

The Secretary to the Government of India
Foreign Department
Fort William.

Section
File No 1
Serial No

Dated Bangalore 6th October 1862

Sir.

"Judicial"

1. In reply to your letter No. 1811 dated 18th Ultimo, directing me to submit my views as to the propriety of introducing the Stamp Act into the new Court for small Causes the formation of which has been sanctioned by the Government of India, I have the honor to lay before His Excellency the Viceroy and Governor General in Council the following observations.

With copy of Stamp Rules and Impressions of the Dies.

2. On my arrival at Bangalore in April, I found that a set of Stamp Rules had just been drawn up under Mr. Saunders' orders. These were circulated for general information, and it was intended that they should take effect from the 1st of August last. Some delay occurred however in procuring the requisite Dies, and it became necessary to postpone the date from which

the

Government of India

I have the honor to be,
Sir,
Your Most Obedient Servt

Bangalore
6th October 1862.

Despn 10

L Bruning
Commissioner

15

Revised Stamp Rules.

Stamp Paper Regulations for the guidance of all Public Officers, Judicial and Revenue, throughout Mysore.

1. Many complaints regarding the difficulties experienced in obtaining Stamp Paper at short notice under the present system having been received, the Commissioner is desirous of meeting the wants of the community, at the same time that he is anxious to protect people from fraud, and imposition on the part of the Public servants. He therefore, hereby directs the introduction of the following Revised Rules for guidance in Mysore from and after the 1st of November 1862.

2. All Merchants Shop-keepers, Traders or other Individuals within the Mysore Territory who on or after the above date require to execute any Bonds, Bills of Sale, Deeds, Deeds of Gift, Agreements, or other documents connected with money transactions, will be required to execute the same on Stamp Paper of such value relatively to the amount of the Bond as shall hereafter be defined, or render the document liable to the penalty laid down in Rule 13.

Penal Bonds, Bhogapatra, Anwadypatra, Dreseyapatra, Yaduradypatra, Fareekhut, Mal Zameney, Havala Cagada, Kriyapatra, Surramaneya Bhogyah, Veebhaga, executing Moochilkas, &c., for Gootta or Contract.

3. All documents of the nature and tenor of those marginally noted are also to be executed on Stamp Paper, in the same manner as those defined under Para 2.

4. In cases of transfer of land, the rental of the said land, or the value of its annual yield in whatever form obtained, is to be multiplied by ten, and stamp paper of commensurate value with the aggregate sum thereby given, is to be used in all such transfers or alienations.

5. In such cases as the transfer or sale of a house the value of the house is to be taken as the standard.

6. In cases where payment is to be made in grain, the market value of the particular grain, for the time being is to be taken as the standard.

7. In the case of Deeds of separation the aggregate value of the whole property is to regulate the value of the Stamp.

8. The Market value, for the time being, of any article mentioned in any Deed, is to be taken as the standard, as regards the value of the Stamp Paper on which the Deed should be executed.

9. All contract and Ezarah Bonds, and Deeds, Zameney Moochilkas, or Security Bonds, and Receipts, and Havalah Cheetees, on account of Cirkar balances, are to be written on Stamp Paper of the correct value.

10. All Plaints in original suits filed in any Court in Mysore are from the 1st of November 1862 to be written on Stamp Paper of the following value.

Amount of Suit.			*Stamp Paper cost.*		
From	1	to 20	Rupees ..	8	Annas
„	20	to 50	„	1	Rupee
„	50	to 100	„	2	„
„	100	to 200	„	4	„
„	200	to 300	„	10	„
„	300	to 500	„	20	„
„	500	to 1,000	„	30	„

Amount of Suit.			*Stamp Paper cost.*		
From	1,000	to 3,000	Rupees ..	60	Rupees
„	3,000	to 5,000	„	100	„
„	5,000	to 10,000	„	200	„
„	10,000	to 25,000	„	300	„
„	25,000	to 50,000	„	500	„
„	50,000	to One lac	„	700	„
„	If above	One lac	„ ..	1,000	„

The answer to be written on paper or papers each of the value of eight annas. In cases involving more than Rupees 100 and less than Rupees 500 every additional sheet of the Plaint is to be of the value of one Rupee. In cases involving more than 500 Rupees every additional sheet of the Plaint is to be of the value of two Rupees.

11. Appeal and special appeal Plaints or Petitions shall be written on Paper of the next lowest value in the Schedule to that on which the Plaint in the original suit was written, for example, if the original Plaint was on Paper of Rupees 10, the appeal will be on paper of Rupees 4 in value.

12. All Memorandums of Urzees, &c., in any suit must be on Stamp Paper of the value of 4 annas in cases involving less than 500 Rupees, and on Stamp Paper of the value of one

[illegible] be filed in any suit in any Mysore Court, are not to be accepted in evidence without prepayment

13. All unstamped Documents which may on th[illegible] adopt of the Division is as heretofore, to certify [illegible]

of fifteen times the proper Stamp rate, instead of ten times as at present. The Sup[illegible] ng the Bond or Document.

shall the fine so levied be recoverable fro[illegible]ther party whatsoever, but the party

14. The rates for all Bonds and [illegible] above referred to in Mysore after the [illegible] November next are to be as follows.

					Rs.	As.	P.						Rs.	As.	P.
If for any sum not exc[illegible]		Rupees.	50		,,	4	,,	For any sum from Rs.		1,000	to	3000	10	,,	,,
For any sum from Rs.		50	to	100	,,	8	,,	Do.	Do.	3,000	to	5000	20	,,	,,
Do.	Do.	100	to	200	1	,,	,,	Do.	Do.	5,000	to	10,000	30	,,	,,
Do.	Do.	200	to	300	2	,,	,,	Do.	Do.	10,000	to	20,000	40	,,	,,
Do.	Do.	300	to	500	4	,,	,,	Do.	Do.	20,000	to	50,000	60	,,	,,
Do.	Do.	500	to	1,000	6	,,	,,	Do.	Do.	50,000	to	1,00,000	100	,,	,,
Do.															

and 100 Rupees for every additional lac or portion of a lac set forth in the Bond or Document.

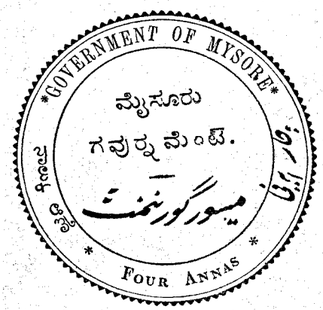
15. Wills are exempt from Stamp duty

16. Mooktear Namahs filed in all Courts to be written on Stamp Paper of the value of four Annas.

17. Copies of all Judicial Decrees required to be supplied by any Court must be written on a Stamp Paper of eight Annas. Copies of all other papers on Stamp Paper of four Annas.

18. After the 1st November next all Feryad urzees, except in the case of bona fide papers must be written on paper of 4 annas value; all received on plain paper by any officer of Government above the Rank of Amildar are to be returned unread.

19. These papers will all be stamped as shown below and every vendor of stamps is to write his name, that of the purchaser, and the date of issue, between the two Stamps, as in the case of Stamp Paper issued by the British Government.



Vendo's Name

Date

Purchaser's Name.

20. No other entry whatever is to be made on the face, or back, or any other part of a Stamp Paper, either by the vendor, or any officer of Government. The Government has no concern with the transactions of individuals, and the necessity under the above Rules for facilitating in every possible manner the ready sale of Stamp Paper to all who may require it, will convince all officers of the necessity of preventing by every means in their power the obstacles, impediments, annoyances, and elaborate entries, which now accompany the issue of Stamp Paper, and all Superintendents will impress upon their Treasury people, Talook subordinates, and Stamp Paper vendors, the danger of interference, obstruction, or inattention, in the case of these Rules, or in the issue of Stamp Paper when required.

21. These Rules cancel all former orders on the subject of Stamp Paper in Mysore.

22. Colonel Macqueen's Circular of the 27th of December 1860 is to be considered cancelled being under the foregoing Rules inapplicable.

23. All Heads of Departments and Districts will appoint individuals to issue or vend Stamp Paper, and all Superintendents will name certain Talook servants, and others, in all Cusbahs, and large Towns, for the same duty; and every vendor so appointed is to receive five per Cent of the aggregate amount of the account sales.

24. The Commissioner's Office is invariably to be indented on in sufficient time to meet local requirements.

25. Account sales are to be submitted quarterly within 15 days after the expiration of the Quarter commencing with the 1st of November 1862.

26. The first return will comprise three months, namely from 1st of November to 31st of January 1863.

(By Order)

J. L. PEARSE,
Secretary.

BANGALORE,
August 27 1862.

MYSORE GOVERNMENT'S PRESS, BANGALORE—1862.